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December 15, 2005

## VIA ELECTRONIC FILING

Marlene R. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: Ex Parte, Notice CC Docket No – 01-92 and CC Docket No. 99-300

Dear Ms. Dortch:

On December 13, 2005, John Sumpter, Vice President Regulatory of Pac West Telecomm, Inc. and the undersigned met with Michele Carey Legal Advisor, Wireline to Chairman Martin and separately with Scott Bergmann, Legal Advisor for Wireline Issues to Commissioner Adelstein. We discussed PacWest's concern with the uncertainty that is created by the failure to distinguish between the rights and obligations of carriers and non-carriers in a variety of circumstances, such as phantom traffic, intercarrier compensation, number portability and network neutrality. The views expressed are consistent with those of PacWest contained in its prior filings.

Sincerely,



Richard M. Rindler

cc: John Sumpter